

### REMARKS

Applicant's remarks are preceded by those of the examiner quoted in small, bold-faced type.

#### Specification

**1. The abstract of the disclosure is objected to because the abstract does not sufficiently describe the claimed invention. Correction is required. See MPEP § 608.01 (b).**

Applicant has included a new abstract to replace the objected to abstract.

**2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.**

**The following title is suggested: --A METHOD FOR INSERTING A DISK DRIVE INTO A PERIPHERAL BAY CHASSIS--.**

Applicant has amended the title.

#### Claim Objections

**3. Claims 18-21 are objected to because of the following informalities:**

**Re. Claim 18: The phrase "a disk drive" recited in line 3 should be -the disk drive--.**

**The phrase "[and the upper engagement point]" recited in lines 11 and 12 should be deleted with a line cross out the phrase.**

**Re. Claim 20: The phrase "a release tab" recited in line 2 is not indicated where the release tab is located or attached. Examiner assumes the release tab is attached to the latch mechanism.**

**Re. Claim 21: The phrase "a disk drive" recited in line 2 should be -the disk drive--.**

Applicant has amended the claims.

#### Claim Rejections -35 USC Q 112

**4. The following is a quotation of the second paragraph of 35 U. S. C. 112:**

**The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.**

**5. Claims 19 and 21 are rejected under 35 U. S. C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Re. Claim 19: The phrase "contacting an adjacent disk drive with at least... with a disk drive connector" recited in lines 2 and 3 renders the claim vague and indefinite.**

It is unclear whether the adjacent disk drive is the same disk drive recited in claim 18 in line 3 or a new disk drive. If the adjacent disk drive is the same disk drive recited in claim 18 in line 3, examiner suggests changing "an adjacent disk drive" to -the disk drive—.

If the adjacent disk drive is NOT the same disk drive recited in claim 18 in line 3, where is the adjacent disk drive located? Is it already in the peripheral bay cassis inserted with another base of a disk drive carrier or before inserting into the peripheral bay cassis? It is not clear whether the adjacent disk drive is in the peripheral bay cassis or not. According to the scope of invention recited in lines 1-2, the claimed invention of the inserting method is only one disk drive. If the original disk drive recited in claim 18 in line 3 and the adjacent disk drive are inserting into the peripheral bay cassis contacted with the at least one conductive finger clip, the scope of invention needs to be changed.

Based on the adjacent disk drive is NOT the same disk drive recited in claim 18 in line 3, the limitations "contacting an adjacent disk drive with at least one conductive finger clip" is still unclear whether the finger clip is contacted the adjacent disk drive or the original disk drive recited in claim 18 in line 3 is contacted to the adjacent disk drive with the finger clip.

Also, the limitations "prior to engagement of a high speed back plane with a disk drive connector" is still unclear where the high speed back plane and the disk drive connector are located. Are they in the original disk drive recited in claim 18 in line 3 or the adjacent disk drive or somewhere else?

Applicant has amended the claims.

**Claim Rejections -35 USC Q 102**

7. Claims 18-21 are, as best understood in view of the rejections under 112 second paragraphs, rejected under 35 U. S. C. 102(e) as being anticipated by Tirrell et al. (US PAT. 5,828,546).

Tirrell et al. teach a method for inserting a disk drive into the peripheral bay cassis (90) comprising steps of: receiving a disk drive (35) into a base of a disk drive carrier (40), wherein the base has an upper most surface and being attached to a latching mechanism (10) as shown in Fig. 2, wherein a lever (10a) can rotate between an open position (see also Fig. 1a) and a closed position (see also Fig. 3), the lever having an upper (10a) and lower engagement points (10c, 10d) (see also Fig. 5); inserting the carrier into a peripheral bay cassis slot while the lever is the open position as shown in Fig. 1a; and securing the carrier to the peripheral bay cassis by rotating the lever to the closed position to extend the upper engagement point beyond the upper most surface of the base (as best shown in Figs. 1a and 3) and the lower engagement point (10d) is engaged with the peripheral bay cassis as best shown in Fig. 1a (see also col. 6, line 6 to col. 8, line 18).

As per claim 18, as best understood in view of the rejections under 112 second paragraphs based on the adjacent disk drive is the same disk drive recited in claim 18 in line 3, the disk drive is contacted with a conductive finger clip (10d) by the hinge (12) to the peripheral bay cassis (57) as shown in Fig. 1a.

Applicant respectfully disagrees with the examiner's position. Tirrell does not disclose "securing the carrier to the peripheral bay chassis by rotating the lever to the closed position to extend the upper engagement point beyond the uppermost surface of the base and engage the peripheral bay chassis and to extend the lower engagement point to engage the peripheral bay chassis" as recited in claims 18 and 21. Tirrell only discloses a device cover 1 with covers 5 and an ejector 10 having a "bottom lip 10c of ejector 10 [forming] a radiused ejector area. At the lower extreme of each side member 10b is a locking tab 10d that extends below front planar surface 10a to provide an injection mechanism." (figs. 1a and 5; col. 6, lines 19-23)(emphasis added).

Ejector 10 injects and ejects device cover 1 by interacting with a chassis shelf 50 *below* device cover 1. "[L]ocking tabs 10d of ejector 10 [] grip chassis shelf 50 and [] help move the drive into position along rails 55 when [drive cover 1] is being inserted." (Fig. 1a; col. 8, lines 9-13.) Similarly, "[t]he downward and inward pivot of ejector 10 presses bottom lip 10c against chassis shelf 50 and propels the covered drive out of its position for removal." (Fig. 1a; col. 6, lines 46-48.) However, Tirrell does not disclose securing device cover 1 by rotating lever 10 to extend an upper engagement point on lever 10 beyond the uppermost surface of covers 5 and engage a chassis shelf 50 above device cover 1. Thus, claims 18 and 21 are patentable over Tirrell. Claims 19 and 20 are dependent on claim 18 and patentable for at least the same reasons.

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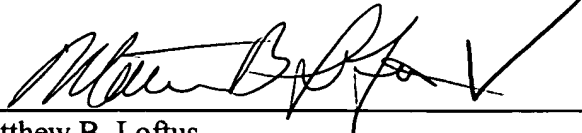
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Please apply any other charges or credits to deposit account 06-1050, reference  
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Respectfully submitted,

Date: \_\_\_\_\_

4/23/04



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In an aspect, the invention features a method for inserting a disk drive into a peripheral bay chassis. A disk drive is received into a base of a disk drive carrier, the base having an uppermost surface and being rotatably attached to a latching mechanism. A lever can rotate between an open position and a closed position, the lever having comprising a lower engagement point and an upper engagement point. The carrier is inserted into a peripheral bay chassis slot while the lever is in an open position. The carrier is secured to the peripheral bay chassis by rotating the lever to the closed position to extend the upper engagement point beyond the uppermost surface of the base and engage the peripheral bay chassis with and to extend the lower engagement point to engage the peripheral bay chassis.